

**COMMITTEE AMENDMENT FORM**

**ORDINANCE 04-O-1368**

**DATE: JULY 27, 2004**

**AMENDMENT: 1. Renumber "Section 2" to "Section 3".**

**2. Create a new Section 2 which shall provide as follows:**

**Section 2: That the moratorium imposed by this ordinance shall not apply to private property vending applications and permits sought by Flea market promoters, operators, owners, or vendors in the event of the enactment of pending Ordinance 04-O-0165.**

An Ordinance

**04-O-1368**

By Councilmembers Jim Maddox, Mary Norwood, Ivory Lee Young, Clair Muller, Carla Smith, Anne Fauver, H. Lamar Willis, Debi Starnes Natalyn Archibong, Cleta Winslow, Howard Shook and Ceasar C. Mitchell

**As Amended by Public Safety and Legal Administration Committee**

An Ordinance to Impose a Six (6) Month Moratorium on the Acceptance of Private Property Vending Applications and The Issuance Of Private Property Vending Permits For new Vending Locations; And For Other Purposes.

**Whereas**, the City has the responsibility to regulate , and prohibit any act, practice, conduct, or use of property which is detrimental, or likely to be detrimental, to the health, sanitation, cleanliness, welfare, and safety of the inhabitants of the city and to provide for the enforcement of such standards; and

**Whereas**, the City has the power to make, ordain, and establish such bylaws, ordinances, rules, and regulations as shall appear necessary for the security, welfare, convenience, and interest of the city and the inhabitants thereof and for preserving the health, peace, order, and good government of the city; and

**Whereas**, pursuant to its police powers, the City of Atlanta is authorized to enact legislation to regulate certain types of businesses and industries which could potentially affect the public health, safety and welfare, including vending on private property; and

**Whereas**, there is a proliferation of private property vendors some of whose vending sites and structures are unsightly and unsafe; and

**Whereas**, this proliferation of private property vendors has also led to traffic congestion and the creation of dangerous traffic conditions; and

**Whereas**, the City ordinances regarding vending on private property should be reviewed, revised and updated in order to eliminate the problems associated with vending on private property; and

**Whereas**, it is anticipated that said review, revision and updating will take approximately six (6) months to complete; and

**Whereas**, no applications for new private property vending locations should be accepted, nor should any private property vending permits for new vending locations be issued during said six (6) month period.

**NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF  
THE CITY OF ATLANTA, GEORGIA, as follows:**

Section 1: That a moratorium is hereby imposed for a period of six (6) months on the acceptance of private property vending applications and the issuance of private property vending permits for new vending locations, said (6) month period to begin on the date this ordinance becomes effective.

**Section 2: That the moratorium imposed by this ordinance shall not apply to private property vending applications and permits sought by Flea market promoters, operators, owners, or vendors in the event of the enactment of pending Ordinance 04-O-0165.**

Section 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.